

RECORDATION NO. 26614A FILED

OCT 12 '06 -11 4 0 AM

SURFACE TRANSPORTATION BOARD



Everest Railcar Services, Inc.

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October 10, 2006

Secretary  
Surface Transportation Board  
1925 K. Street, N.W.  
Washington, DC 20423

Dear Sir:

Enclosed for recordation with the Surface Transportation Board is a Memorandum of Railroad Car Mark Agreement between the following parties:

**Owner of Car Mark:**

Santa Fe Southern Railway  
Attn: Dick Finlay  
410 S. Guadalupe St.  
Santa Fe, NM 87501

**Permitted User of Car Mark:**

Everest Railcar Services, Inc  
Attn: Steven J. Hendricks  
P.O. Box 160  
Tonitown, AR 72770  
Ph-479-927-3311

Sincerely,

Steven J. Hendricks

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1391 Plaza Place, Suite C.  
Springdale, AR 72764  
Voice-479-927-3311  
Fax-479-927-1335

RECORDATION NO. 26614-A

FILED

OCT 12 '06 -11 40 AM

## SURFACE TRANSPORTATION BOARD

October 10, 2006

Steven J. Hendricks, President  
Everest Railcar Services, Inc.  
1391 Plaza Place, Suite C  
Springdale, AR 72764

RE: Santa Fe Southern Railway, Inc. "Mark Agreement"

Dear Steve:

The following may be used to confirm a long standing use of the "SFS" mark by Everest Railcar Services, Inc.

*Memorandum of railroad car mark agreement dated October 10, 2006, between Everest Railcar Services, Inc., an Arkansas Corporation (hereinafter called "Everest") and Santa Fe Southern Railway, Inc. a New Mexico corporation (hereinafter called "SFSR").*

*Everest and SFSR entered into a written agreement for use of the "SFS" mark in March 2005. Subsequently this agreement was renewed and unanimously endorsed by the SFSR stockholders on September 1, 2005.*

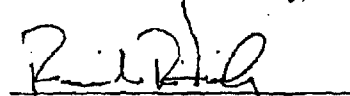
*In Witness Whereof Everest and SFSR wish to register for the public record the ownership or agent status of the said railroad equipment carrying the "SFS" mark, which entitles Everest to the mileage charges and car hire payments earned by the subject railroad equipment. Any settlement proceeds for damage or destruction of said railroad equipment shall accrue solely to Everest.*

Everest Railcar Services, Inc.



Steven Hendricks, Principal

Santa Fe Southern Railway, Inc.

Richard R. Finlay, Director,  
Vice President/Secretary

Richard R. Finlay mailing address: 5330 Springmeadow Drive, Dallas, Texas 75229-4331  
Office Telephone 214-739-5550